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PATENT TRADEMARK OFFICE

Docket No.: 2309/0J434

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kengo OCHI; Takeshi Ikegami

Serial No.: 09/875,369

Art Unit: 3644

Filed: June 5, 2001

Examiner: SMITH, Kimberly S.

For: ANIMAL EXCRETIONS-TREATING MATERIAL CAPABLE OF BEING DISPOSED
OF IN FLUSH TOILETS

UNOFFICIAL COMMUNICATION

February 25, 2003

Assistant Commissioner of Patents
Washington, DC 20231

Sir:

Prior to the telephone interview scheduled for February 25, 2003, applicants wish the Examiner to consider the following points and exhibits:

1. The designation "alpha starch" is generic and not a trade name. It designates a modified (pregelatinized) starch. In support of this position, applicants submit the following:

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FILE #: 2309/0j434

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NO. OF PAGES: 10

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COMMENTS:

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a) A multitude of excerpts from issued U.S. patents, that use the designation in their claims, with either minimum or no explanation in their specification. This is probative evidence that the term is accepted in the art and capable of serving as a claim term.

b) U.S. Patent No. 5,571,545 which at col. 3, lines 14-18 explains:

alpha-Starch is obtained by gelatinizing starch obtained from starch containing raw materials such as cereals, rootcrops and the like and is used in an amount of 0.2 to 9% by weight, preferably 0.5 to 7.5% by weight as dry weight based on the total weight of the food material of the present invention.

c) US Patent No. 5,972,507, col. 4, lines 39-49 explains:

Polysaccharides used for the production of porous cellulose beads should be alkali-soluble and be easily hydrolyzable by acids. Such polysaccharides include starch and its derivatives, pullulan, dextran and gum arabic. Starch and its derivatives are especially preferable because they are cheap. They may be of potato, corn or tapioca origin, or may be chemically, physically or biologically modified starch. Such modified starch include such as dextrin, acid-treated starch, oxidized starch and dialdehyde starch, starch ethers such as carboxymethylated starch and hydroxyethylated starch, starch esters such as monostarch phosphate and acetylated starch, physically modified starch such as **alpha-starch** and heat-moisture treated starch, and enzyme-treated starch such as amylose.

d) U.S. Patent No. 6,515,054 at col. 5, lines 54-68 and col. 6, lines 1-9, recites:

In the present invention, particularly preferable among the above-exemplified fillers are the starches (e.g. starch polymers, natural starch extracted from plants), and specific examples thereof include raw starches (grain starch such as corn starch, potato starch, sweet potato starch, wheat starch, cassava starch, sago starch, tapioca starch, millet starch, rice starch, bean starch,

arrowroot starch, bracken starch, lotus starch and water caltrop starch), physically modified starches (e.g. **alpha-starch**, fractionated amylose, moistly and thermally treated starch), enzymatically modified starches (e.g. hydrolyzed dextrin, enzymolyzed dextrin, amylose), chemical decomposition-modified starches (e.g. acid-treated starch, hypochlorous acid-oxidized starch, dialdehyde starch), chemically modified starch derivatives (e.g. esterified starch, etherified starch, cationized starch, crosslinked starch), and their mixtures.

2. Alpha starch is a different material from unmodified starch, such as tapioca or other vegetable or root starches. This is also amply evidenced by the materials quoted in (b), (c), or (d) above. Therefore, the term can serve as a distinction between the present claims and the prior art.
3. The foregoing were not earlier submitted because the issue had not arisen. The issue in its present form arose in the Advisory Action.
4. If any prior art issues remain, they will be addressed at the interview.

6,274,122**Specification:**

The aqueous solution interpenetrates the inorganic or large organic molecules in order to form the gel. Specific, non-limiting examples of a gelling agent are an **alpha starch**, an agar, hydroxyethyl cellulose, mangrot seed, hydroxymethyl cellulose, sodium polyacrylate, sodium polyacrylamide, poly-N-vinylpyrrolidone, poly-vinyltoluenesulfonate, poly- sulfoethyl acrylate, poly-2-hydroxyethyl acrylate, poly- vinylmethyloxazolidinone, hydrolyzed polyacrylamide, polyacrylic acid, copolymers of acrylamide and acrylic acid and alkali metal salts of such of the polymers that contain sulfonate or carboxylate groups.

1. A device for the treatment of teeth, comprising: an outer layer of non-porous polymeric material forming a trough; an inner layer forming an inner lining of said trough; and a treatment layer comprising a treatment agent encased between said outer layer and said inner layer, wherein said inner layer allows penetration of said treatment agent through said inner layer after an aqueous solution is introduced to said device and wherein said inner layer does not allow a substantial portion of said treatment agent to pass through said inner layer before said aqueous solution is introduced, wherein said treatment agent is a bleaching agent, and said treatment agent is in dry solid powder form thereby avoiding a leakage problem of dental trays filled with gel or liquid treatment agents.

6. The device of claim 1, wherein said treatment layer further comprises a gelling agent in dry form.

7. The device of claim 6, wherein said gelling agent is selected from the group consisting of an **alpha starch**, an agar, hydroxyethyl cellulose, mangrot seed, hydroxymethyl cellulose and fumed aluminum silicate.

4441016

1. An electric rice cooking apparatus for performing main cooking and subsequent auxiliary cooking for effectively converting beta- starch to **alpha-starch**, comprising:

(a) a cooking kettle for containing rice and water;

(b) thermal insulating frame means for detachably placing said cooking kettle therein;

(c) heater means disposed in said frame means, for receiving power and for electrically generating heat to heat said cooking kettle and contents thereof;

(d) temperature detecting means for measuring the actual kettle temperature of said cooking kettle and for producing a detection signal corresponding to the actual kettle temperature;

(e) first controlling means, connected to said temperature detecting means and said heater means, for storing first and second reference temperatures, for deenergizing said heater means to complete the main cooking at a proper time when the kettle temperature increased by

heating by said heater means reaches the first reference temperature, and for energizing said heater means again to initiate the auxiliary cooking when the kettle temperature decreased by deenergization by said heater means reaches the second reference temperature;

(f) auxiliary cooking operating time determinating means connected to said first controlling means, for electrically detecting the actual lapse time required for the actual kettle temperature to reach the second reference temperature after the main cooking is completed in every cooking operation, for determining a cooking amount in accordance with the time interval, and for producing a time data signal representing a reference timer operating interval corresponding to an auxiliary cooking operating time in accordance with the cooking amount; and

(g) second controlling means, connected to said auxiliary cooking operating time determining means and said heater means, for measuring the actual lapse time of the auxiliary cooking, and for finally deenergizing said heater means independently of said first controlling means when the length of the actual lapse time is equal to said reference timer operating interval, thereby completing the auxiliary cooking operating time.

4076663

1. A process for producing a water-absorbing resin which comprises polymerizing (a) at least one of natural starch and [agr] starch, (b) at least one monomer having a single polymerizable double bond which is a water-soluble or becomes water-soluble by hydrolysis, and (c) a crosslinking agent, and if the monomer (b) is one which becomes water soluble by hydrolysis, thereafter subjecting the resulting product to hydrolysis.

20. The process of claim 1, wherein the starch is changed into . **alpha.** -type starch in a solvent at an elevated temperature before being used in the polymerization.

6036987

1. A process for manufacturing quick boiling pasta or noodles comprising the steps of:

(a) heating dry pasta or noodles for a time sufficient to convert the starch in the surface layer of the pasta or noodles to **alpha- starch**;

(b) cooling the pasta or noodles;

(c) drying the surface of the pasta or noodles followed by either immersing the pasta or noodles in water at 0-75[deg] C. for 5-10 minutes so that the surface of the pasta or noodles absorbs water and cooling the pasta or noodles before packaging, or packaging the pasta or noodles in a sealable container together with water at 0-75[deg] C. and allowing the pasta or noodles to absorb the water in the packing container.

5874122

1. A steamed wheat flour for fry-cooking which is suitable for use in reheating in a microwave oven, said steamed wheat flour comprising the starch not substantially converted into **alpha starch**, and having a gluten vitality of 0.80 to 0.92 based on that of untreated wheat flour and a gluten swelling power of 1.05 to 1.55 based on that of untreated wheat flour.

5516974

3. A method for the treatment for immobilizing fly ash of an urban dust incinerator, wherein the fly ash contains at least one noxious metal selected from the group consisting of cadmium, lead, zinc and copper, and, the treating agent comprises a mixture of components A, B and C, where component A is selected from the group consisting of **alpha starch** and dextrin, component B is selected from the group consisting of sodium silicate and a hydrogen phosphate compound, and component C is an allophane having a molecular ratio of $\text{SiO}_2/\text{Al}_2\text{O}_3$ of not less than 2, wherein the mixing ratio of said component A: component B: component C is 100 parts by weight of component A, 20 to 160 parts by weight of component B, and 40 to 180 parts by weight of component C, the steps comprising: (1) the treating agent is mixed with the fly ash to form a fly ash treating agent mixture; (2) water is added to the fly ash treating agent mixture; and (3) the resulting mixture is milled.

5332592

1. A process for producing extruded, grooved, and oil-fried noodles capable of being instantly cooked, said process comprising:

(i) providing a starting powder mixture comprising raw tapioca starch and at least one wheat-derived member selected from the group consisting of durum semolina, strong wheat flour and semi-strong wheat flour, said tapioca starch being present in an amount of 15-45% by weight based on the weight of the powder mixture and said wheat-derived member being present in an amount of from 85-55% by weight based on the weight of the powder mixture;

(ii) mixing said starting powder mixture with water added in an amount of 25 to 35% by weight based on the weight of the starting powder mixture;

(iii) kneading the resultant uniform admixture to obtain a kneaded dough material;

(iv) passing the kneaded dough material through an extruder to obtain extruded raw noodle strings each having at least one groove extending longitudinally in the noodle string;

(v) steaming said raw noodle strings in a first steaming stage;

(vi) treating the steamed noodle strings with water so as to absorb water therein to increase the water content of the noodle strings to a water content of 38 to 50% by weight;

(vii) steaming the noodle strings having absorbed water in a second steaming stage; and

(viii) thereafter frying the steamed noodle strings in oil.

9. A process according to claim 1 or claim 3 wherein steaming in said first steaming stage is effected under conditions such that the starch positioned in the surface layer of the noodle string is gelatinized to **alpha-starch** and such that the starch positioned in the inner, core part of each noodle string remains in the form of beta- starch.

5368861

1. A gastric preparation comprising a predetermined effective amount of a drug, said preparation comprising a rapid release portion from which said drug is rapidly released and a sustained release portion from which said drug is gradually released, the two portions being released simultaneously to form a layer, wherein said sustained release portion comprises:

- (a) a substance capable of producing a gel in water,
- (b) an oil or fat which is solid under ambient temperature conditions,
- (c) a drug, and
- (d) a hydrophilic or swellable substance for controlling release of the drug; and the specific gravity of the preparation being not more than 1.

7. The gastric preparation according to claim 1, [wherein the substance is] selected from the group consisting of carboxymethyl cellulose, carboxyethyl cellulose, carboxypropyl cellulose, an alkali salt of carboxymethyl cellulose, an alkali salt of carboxyethyl cellulose, an alkali salt of carboxypropyl cellulose, methyl cellulose, hydroxypropyl cellulose, hydroxyethyl cellulose, **alpha starch**, alpha amylostarch, gelatinized starch, carboxymethylated starch, carboxyethylated starch, phosphated starch, acid-treated starch, oxidized starch, dialdehyde starch, soluble starch, thin-boiling starch, dextrin, dextran, dextran sulfate, carboxymethyl dextran, polysaccharides, rubbers, polypeptides, proteins, polyacrylic acid, polymethacrylic acid, an alkali salt of polymethacrylic acid, a copolymer of polyacrylic acid, polymethacrylic acid, polyvinylpyrrolidone and polyvinyl alcohol.

4983385

1. An ointment base for a wet body surface which comprises:

- (a) a hydrogel formed by (i) a water-soluble polymer and a material selected from the group consisting of water, a polyhydric alcohol and (ii) a mixture thereof;

(b) a methacrylate copolymer selected from a group consisting of dimethylaminoethyl methacrylate/methyl methacrylate copolymer, ethyl methacrylate/chlorotrimethylammonium ethyl methacrylate copolymer or a mixture thereof; and

(c) a solubilizer which dissolves the methacrylate copolymer but is incompatible with water and the polyhydric alcohol,

a weight ratio of the methacrylate copolymer to the solubilizer being 1:2 to 1:25.

2. An ointment base according to claim 1, wherein the water-soluble polymer is a member selected from the group consisting of gum arabic, guar gum, tragacanth gum, locust bean gum, carrageenan, agar, starch, . alpha.-starch, dextrin, alginic acid, alginate, pectin, xanthan gum, succinoglucan, dextran, pullulan, gelatin, chitin, chitosan, carboxymethyl cellulose, hydroxyethyl cellulose, hydroxypropyl cellulose, hydroxypropylmethyl cellulose, methyl cellulose, salts thereof, propylene glycol alginate, carboxymethylstarch, polyvinyl pyrrolidone, polyvinyl alcohol, carboxyvinyl polymer, polyacrylic acid and salts thereof, polyvinyl methyl ether, methoxyethylene maleic anhydride copolymer, starch/acrylic acid graft copolymer, and a mixture thereof.

Additional patents using the term "alpha starch" exclusively in their claims:

4770194 , September 13, 1988 , Method of manufacturing wrinkled sheet tobacco, Ohashi, Yukinari, Hiratsuka, JP; Furuya, Norio, Hiratsuka, JP; Kataoka, Satoru, Hiratsuka, JP; Watanabe, Masataka, Yokohama, JP, 932513 (06), Japan Tobacco, Inc., Tokyo, JP

... claim 1, wherein the binder is an . alpha. - starch added in an amount of ...

4719172 , January 12, 1988 , Desensitizing gum for lithographic printing plates, Matsumoto, Hiroshi, Shizuoka, JP; Toyama, Tadao, Shizuoka, JP, 882514 (06), Fuji Photo Film Co., Ltd., Minami-Ashigara, JP

... starch, an alkyleneoxide modified starch, an . alpha.-starch, a dextrin, a ...

4702918 , October 27, 1987 , Pharmaceutical preparations and a method of manufacturing them, Ushimaru, Koichi, Kyoto, JP; Nakamichi, Koichi, Shiga, JP; Saito, Hitoshi, Kyoto, JP, 762057 (06), Nippon Shinyaku Co. Ltd., JP

... methylcellulose, carboxymethylcellulose, hydroxypropylmethylcellulose or alpha-starch or a mixture thereof. 3. The ...

4636432 , January 13, 1987 , Pressure sensitive-adhesive tapes or sheets, Shibano, Tomishi, Tama, JP; Kimura, Itsuo, Tokyo, JP; Maruchi, Sachio, Tokyo, JP, 697915 (06), Sanyo-Kokusaku Pulp Co., Ltd., Tokyo, JP

... selected from the group consisting of starch, alpha-starch, dextrin, oxidized starch, ...

4438324 , March 20, 1984 , Electric rice cooker, Narita, Ryuho, Nagoya, JP; Yamamori, Kenji, Nagoya, JP; Oota, Hiroyuki, Iwakura, JP; Aoshima, Terutaka, Toyohashi, JP, 443893 (06), Tokyo Shibaura Denki Kabushiki Kaisha, Kawasaki, JP

... starch of rice is changed to alpha-starch and corresponds to data stored ...

4421974 , December 20, 1983 , Electric rice cooker, Oota, Hiroyuki, Iwakura, JP; Aoshima, Terutaka, Toyohashi, JP; Yamamori, Kenji, Nagoya, JP; Narita, Ryuho, Nagoya, JP, 458873 (06), Tokyo Shibaura Denki Kabushiki Kaisha, Kawasaki, JP

... effectively converting beta-starch to alpha-starch; (d) temperature detecting ...